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referred or transmitted to committee.

Chief Clerk of the House

**FILED MAR 14 2003**

H.B. No: 3468

By: 

A BILL TO BE ENTITLED

AN ACT

relating to the irrigation of agricultural land on prison  
property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 497.112, Government Code, is amended by  
adding Subsection (d) to read as follows:

(d) During a state of disaster due to drought conditions as  
declared by the Governor pursuant to Section 418.014, Government  
Code, the institutional division shall review the use of water  
in irrigation channels on prison land.

SECTION 2. This Act takes effect immediately if it  
receives a vote of two-thirds of all the members elected to each  
house, as provided by Section 39, Article III, Texas  
Constitution. If this Act does not receive the vote necessary  
for immediate effect, this Act takes effect September 1, 2003.

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

03 APR 25 11:10:04  
HOUSE OF REPRESENTATIVES

By: Geren

H.B. No. 3468

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COMMITTEE REPORT

April 22, 2003  
(date)

The Honorable Tom Craddick  
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON CORRECTIONS  
to whom was referred HB 3468 have had the same under consideration and beg to report  
back with the recommendation that it

☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

☒ yes ☐ no A fiscal note was requested.  
☒ yes ☐ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.

☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

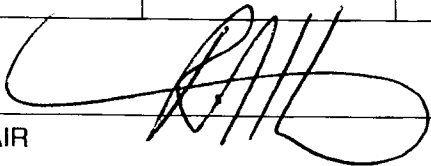
Joint Sponsors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Allen, Chair	<input checked="" type="checkbox"/>			
Hopson, Vice-chair	<input checked="" type="checkbox"/>			
Alonzo				<input checked="" type="checkbox"/>
Farrar				<input checked="" type="checkbox"/>
Haggerty				<input checked="" type="checkbox"/>
Mabry	<input checked="" type="checkbox"/>			
Stick	<input checked="" type="checkbox"/>			

Total      4      aye  
                 0      nay  
                 0      present, not voting  
                 3      absent

CHAIR 

## **BILL ANALYSIS**

H.B. 3468  
By: Geren  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Agribusiness Division of our prison system manages more than 145,000 acres in 46 counties in Texas. The division raises cotton, alfalfa, and more than 30 varieties of edible crops. The Agribusiness program produces as much as possible of the food and fiber requirements of the Texas Department of Criminal Justice. It also provides valuable job skills training for inmates.

Obviously, an inherent element of agriculture is water. Water is among this state's most valuable resources. Texas has developed nearly 80% of its dependable water supplies, but our population is expected to double in the next 40 years. This state is prone to drought conditions. Because of this, we have taken steps to increase water awareness and encourage conservation. Texas passed SB 1 and SB 2 to facilitate regional water planning. We have established the Texas Drought Preparedness Council. Cities have instituted watering schedules during dry summer months. All of these actions have helped raise awareness regarding the use of water.

When drought conditions are so severe that the Governor declares a state of disaster, all Texans should examine their use of water, and the state should lead the way. This bill does not force TDCJ to abandon or change any of their irrigation plans. It merely requires TDCJ, during a declared state of disaster due to drought conditions, to examine its use of water for irrigation to insure they are making the best use of this precious resource.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 3468 amends Section 497.112 of the Government Code by adding subsection (d) to require the Texas Department of Criminal Justice institutional division to review the use of water in irrigation channels on prison land during a state of disaster due to drought conditions as declared by the Governor pursuant to Section 418.014, Government Code.

### **EFFECTIVE DATE**

September 1, 2003

SUMMARY OF COMMITTEE ACTION

HB 3468

April 22, 2003 8:00AM

- Considered in public hearing
- Testimony taken in committee (See attached witness list.)
- Recommended to be sent to Local & Consent
- Reported favorably without amendment(s)

+

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WITNESS LIST

HB 3468

HOUSE COMMITTEE REPORT

Corrections Committee

April 22, 2003 - 8:00AM

On: Fordyce, Thomas (TDCJ)

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 21, 2003**

**TO:** Honorable Ray Allen, Chair, House Committee on Corrections

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB3468** by Geren (Relating to the irrigation of agricultural land on prison property.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

This bill amends language relating to the irrigation of agricultural land on prison property.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 551 Department of Agriculture, 582 Commission on Environmental Quality, 696  
Department of Criminal Justice

**LBB Staff:** JK, WK, JF

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**CRIMINAL JUSTICE IMPACT STATEMENT**

**78TH LEGISLATIVE REGULAR SESSION**

**April 17, 2003**

**TO:** Honorable Ray Allen, Chair, House Committee on Corrections

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB3468** by Geren (Relating to the irrigation of agricultural land on prison property.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

**Source Agencies:**

**LBB Staff:** JK, GG



# HOUSE ENGROSSMENT

By: Geren

H.B. No. 3468

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Austin, Texas

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By Gen

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MAR 14 2003

**Filed with the Chief Clerk**

APR 01 2003

Read first time and referred to Committee on **Corrections**

APR 22 2003

Reported            favorably (as ~~amended~~)  
(as ~~submitted~~)

APR 25 2003

Sent to Committee on (Calendars)  
(Local & Consent Calendars)

MAY 06 2003

Read second time (~~unanimously~~) (~~unanimous~~); passed to third reading (~~failed~~) by a (non-record vote) (~~record vote of~~ ~~yeas~~, ~~nays~~, ~~present, absent~~)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

**MAY 06 2003**

Read third time (~~failed to pass~~); finally passed (~~failed to pass~~) by a (n ~~majority~~)  
(record vote of 143 yeas, 0 nays, 2 present, not voting)

**MAY 07 2003**

**Engrossed**

MAY 07 2003

**Sent to Senate**

*Robert Hanes*  
CHIEF CLERK OF THE HOUSE

**OTHER HOUSE ACTION:**

**MAY 07 2003**

Received from the House

**MAY 09 2003**

Read and referred to Committee on **CRIMINAL JUSTICE**

**Reported favorably**

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

### Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

Read second time, \_\_\_\_\_, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays

Read third time, \_\_\_\_\_, and passed by (a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

### Returned to the House

SECRETARY OF THE SENATE

**OTHER SENATE ACTION:**

\_\_\_\_\_ Returned from the Senate (as substituted)  
(with amendments)

\_\_\_\_\_ House concurred in Senate amendments by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)